

III. REMARKS

Claims 21-26 are pending in this application. Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the above amendments and following remarks is respectfully requested.

In the Office Action, claims 21-26 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Smith et al. (USPN 6,255,233), hereinafter “Smith”, in view of Todd (USPN 6,733,830). Applicants respectfully traverse these rejections for the reasons that follow.

With respect to independent claim 21, Applicants submit Smith and Todd do not disclose or suggest, *inter alia*, “the first dielectric sub-layer includes at least one component not included in the second dielectric sub-layer, the at least one component including perfluoroalkylsiloxanes [.]” The Office admits that Smith does not include this feature but relies on Todd to overcome this deficiency of Smith. Specifically, the Office asserts that “Todd discloses using perfluoroalkyl group as a precursor.” (Office Action at page 5). Applicants respectfully disagree because using perfluoroalkyl group as a precursor does not predictably and controllably result in the claimed perfluoroalkylsiloxanes. Note that a precursor is not a reagent and does not synthesize to form the resultant compound. To this extent, Todd only discloses using perfluoroalkyl group as a precursor, but does not disclose an end product of perfluoroalkylsiloxanes included in a dielectric sub-layer.

In addition, Todd does not disclose or suggest forming perfluoroalkylsiloxanes. Todd does not disclose a synthesis of the perfluoroalkyl group with some other element because the perfluoroalkyl group is used as precursors. Without further disclosure, a side product, if any, of the reaction between two precursors or between a precursor and a reagent is unpredictable and

uncontrolled and does not enable a reproduction of the side product. As such Todd does not teach forming perfluoroalkylsiloxanes. In addition, Todd does not disclose that perfluoroalkylsiloxanes is formed as a side product. The disclosure of Todd and the knowledge in the art also do not support that perfluoroalkylsiloxanes is inherently/necessarily produced where perfluoroalkyl group is used as a precursor in the fluorination process of a dielectric sub-layer.

In view of the foregoing, Smith and Todd, even in the suggested combination, does not teach, *inter alia*, “the at least one component including perfluoroalkylsiloxanes[.]”

Further, Applicants submit that the claimed invention does not claim using perfluoroalkylsiloxanes as a precursor. (*See* Office Action at page 5.) The claimed invention claims, *inter alia*, that “the first dielectric sub-layer includes at least one component not included in the second dielectric sub-layer, the at least one component including perfluoroalkylsiloxanes[.]” (Claim 21). In the previous response of 7/17/07, Applicants submitted that Todd does not disclose using perfluoroalkylsiloxanes as a precursor to illustrate that Todd does not include perfluoroalkylsiloxanes as a precursor residue.

The dependent claims are believed allowable for the same reasons, as well as for their own additional features.

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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